

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 23, 2004

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Joyce Hatter, Deputy Clerk.

Each of the following:

B163632 People v. Gutierrez
B163405 People v. Escareno
B166040 In re: Marvel H.
B166780 In re: Cherry W.
B167349 In re: Albert V.
B168946 In re: Monisha W.

Argument waived, cause submitted.

B166396 People
 v.
 Montemarano

Merits:

Argued by Ryan Smith, Deputy Attorney General for respondent and by Stanley Greenberg for appellant. Cause submitted.

B166046 Frank, et al.
 v.
 Los Angeles County Civil Service Commission, et al.

Merits:

Argued by Richard Levine for appellants and by Sheilah Curtis for respondents. Cause submitted.

DIVISION TWO (Continued)

B163592 People
 v.
 Brownlee

Merits:
Argued by Kyle Brodie, Deputy Attorney General for respondent and by Omar Bakari for appellant. Cause submitted.

B157103 Shalant
 v.
 Deutsch, et al.

Merits:
Argued by Brian Yapko for appellant and by Richard Clark for respondents. Cause submitted.

Court adjourned.

B160766 Linda Schrobilgen
 v.
 Ocean Towers Housing Corporation

Filed order denying petition for rehearing.

DIVISION THREE

B165790 Edgar Ramirez, et al. (Not for Publication)
 v.
 AXXIS Network and Telecommunications, Inc., et al.

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION FOUR

B169994 California Fair Plan Association (Certified for Publication)

V.

Superior Court, Los Angeles County
(Darwish, r.p.i.)

Let a peremptory writ of mandate issue directing the respondent court to vacate its order of August 22, 2003, denying Fair Plan's motion for summary judgment and summary adjudication and to enter in its place a new order granting summary judgment. Each party to bear their own costs.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B155147 Thomas (Not for Publication)

V.

Woodruff

The judgment is affirmed. Respondent(s) to recover costs.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B160390 People (Certified for Publication)

V.

Collins

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FOUR (Continued)

B163224 People (Not for Publication)
v.
Archer

Appellant's sentence is modified in accordance with the views expressed in this opinion and the clerk of the superior court is directed to correct the abstract of judgment accordingly. In all other respects, the judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B167081 Los Angeles County, D.C.S. (Not for Publication)
v.
Virginia M.

The orders of the juvenile court are affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

B160895 McFadden (Not for Publication)
v.
Battifora et al.

The judgment is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

DIVISION FOUR (Continued)

B170026 Robert P. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children and Family Services et al.,
r.p.i.)

The petition for writ of mandate is denied.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

B167814 People
v.
Thomas

Filed order denying petition for rehearing.

B162110 Gaylor
v.
Hobdy et al.

Filed order denying petition for rehearing.

DIVISION EIGHT

B160969 Chavarria (Not for Publication)
v.
Kolodaro, et al.

The order setting aside the judgment and permitting a trial de nova is affirmed. The parties are to bear their own costs on appeal.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

DIVISION EIGHT (Continued)

B161580 Siegoso (Not for Publication)
v.
City of Los Angeles, et al.

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

B158774 People (Not for Publication)
v.
Myles

The judgment on count 6 is modified by reducing appellant's conviction of first degree burglar to second degree burglary and, as modified, is affirmed and remanded for resentencing on count 6. The trial court is directed to stay the sentence on counts 5 and 6. The amended abstract of judgment issued after resentencing should reflect that the enhancements for counts 6 and 10 were imposed under Penal Code section 12022.5, subdivision (a)(1).

Boland, J.

We concur: Rubin, Acting -+P.J.
Flier, J.

B168045 People (Not for Publication)
v.
Sanchez

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.